

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

February 5, 2015

5:30 P.M.

MINUTES

Present: Mayor James Calnon, Councilors Rachelle Armstrong (W1), Dale Dowdle (W3), Paul O'Connell (W4), Becky Kasper (W5), Joshua Kretser (W6)

Absent: Councilor Mike Kelly (W2)

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on January 22, 2015 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Kretser; Seconded by Councilor Kasper

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the weeks ending January 28, 2015 in the amount of **\$ 278,507.61** and February 4, 2015 in the amount of **\$ 266,388.18** are authorized and allowed and the Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Armstrong; Seconded by Councilor Kretser

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the weeks of January 22 – February 4, 2015
- Report from the Building Inspector's office February 3, 2015
- Report from the Parking Violations Bureau for November and December 2014

RESOLVED: That the reports as listed are hereby ordered received and placed on file among the public records of the City Clerk's Office.

By Councilor Dowdle; Seconded by Councilor Kasper

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

4. CORRESPONDENCE OR RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council for the weeks ending January 30, 2015 in the amount of \$ 871,396.60 and February 6, 2015 in the amount of \$ 232,508.90 are authorized and allowed and the Mayor and City Clerk are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Kretser; Seconded by Councilor Armstrong
Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Andrew Golt 17 Couch Street remarked that after the recent storm he noticed a lot of sidewalks were cleared. Feels there is too much salt put on City Hall steps.

7. OTHER ITEMS:

Motion to remove item 7A from the Table.

By Councilor Kasper; Seconded by Councilor Kretser

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

A. RESOLVED: In accordance with the requirements of the Open Meetings Law, the Common Council approves amending “#2. Speakers must give their name, address and organization, if any” from the approved “City of Plattsburgh Rules for Public Comment” to read “Speakers **may but are not required to** give their name, address and organization, if any.”

Discussion: None

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves continuing the contract with James Burgess as the Nuisance Animal Control Officer for 2015 for the total cost of \$25,000 and there is no increase in cost from 2014.

By Councilor Armstrong; Seconded by Councilor Kasper

Discussion: Yes

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action:

C. RESOLVED: In accordance with the request therefore the Common Council approves continuing the contract with ELMORE SPCA for animal shelter services for 2015 for the total cost of \$10,868 and there is no increase in cost from 2014.

By Councilor Armstrong; Seconded by Councilor Dowdle

Discussion: Yes

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. THE MAYOR HANDS DOWN THE REAPPOINTMENT OF RONALD NOLLAND TO THE ZONING BOARD OF APPEALS EFFECTIVE DECEMBER 31, 2014 AND EXPIRING DECEMBER 31, 2019.

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

E. RESOLVED: In accordance with the request therefore the Common Council approves that the "Steady Ed Safari Disk Golf Tournament" in downtown Plattsburgh now known as "Chains for Charity IV: The Backpack Program" be changed from July 18, 2015 to June 27, 2015 from 9am-4pm and in conjunction with the JCEO to hold a Field Day in Trinity Park closing Trinity Place and Lower Court from 11am to 4pm.

By Councilor Kasper; Seconded by Councilor Armstrong

Discussion: None

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. RESOLVED: In accordance with the request therefore the Common Council approves the Plattsburgh Farmers and Crafters Market group to manage the Farmers Market for the 2015 market season from May 16 - October 10, 2015.

By Councilor Kretser; Seconded by Councilor Kasper

Discussion: Yes

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

G. RESOLVED: In accordance with the request therefore the Common Council approves the Champlain Valley Morgan Horse Association to hold the "2nd Annual Community Flea Market" at the Farmers Market Building on Saturday, October 17, 2015 from 9am to 3pm.

By Councilor Kretser; Seconded by Councilor Kasper

Discussion: None

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

H. RESOLVED: In accordance with the request therefore the Common Council approves Proposal No. 2015-2-2 "Roof Replacement Projects at PMLD Buildings 1 and 2 at Green Street and 6 Miller Street Business Office" be awarded to AES Northeast in the total amount of \$12,476.

By Councilor Dowdle; Seconded by Councilor O'Connell

Discussion: None

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

I. RESOLVED: In accordance with the request therefore the Common Council approves transferring \$13,000 from Contingency to Community Development Contract Services.

By Councilor O'Connell Seconded by Councilor Dowdle

Discussion: Yes

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

J. RESOLVED: In accordance with the request therefore the Common Council approves a consulting contract with the Finch Network for Grant Services in an amount not to exceed \$25,400.

By Councilor Dowdle; Seconded by Councilor Kasper

Discussion: None

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

K. RESOLVED: In accordance with the request therefore the Common Council approves extending contractual benefits (due to job related injuries) for Officer Richard Tucker for an additional 12 weeks. His current 12 week period will expire on 01/29/15.

By Councilor Kasper; Seconded by Councilor Kretser
Discussion:

Councilor Kasper made a motion to amend to:

Remove “additional 12 weeks” and amend it to” up to February 19th.”

By Councilor Kasper; Seconded by Councilor Kretser
Roll call: Councilors Armstrong, Dowdle, O’Connell, Kasper, Kretser
(All voted in the affirmative)

RESOLVED: In accordance with the request therefore the Common Council approves extending contractual benefits (due to job related injuries) for Officer Richard Tucker up to February 19, 2015.

Roll call: Councilors Armstrong, Dowdle, O’Connell, Kasper, Kretser
(All voted in the affirmative)

ACTION TAKEN: Adopted
Follow up Action: None

L. WHEREAS, on July 5, 2014, Governor Cuomo signed into law the New York Medical Marihuana Law; and

WHEREAS, the New York State Department of Health has established specific regulation under which businesses are licensed as Registered Organizations for medical marihuana cultivation, production and sale; and

WHEREAS, there is ample evidence that marihuana is beneficial to people suffering from the chronic and debilitating pain associated with cancer, AIDS and multiple sclerosis, and has also proven effective in alleviating nausea associated with chemotherapy, and muscle spasms from neurological disorders; and

WHEREAS, The American Nurses Association, American Academy of Family Physicians, Lymphoma Foundation of America, American Preventive Medical Association, American Public Health Association, Gray Panthers, and the New England Journal of Medicine have endorsed the medical use of marihuana; and

WHEREAS, A 2014 Quinnipiac University poll found that 88 percent of all New Yorkers think allowing medical marihuana at the recommendation of a doctor is a good idea – with strong support amongst all groups; and

WHEREAS, New York State Licensed Registered Organizations provide high skill and living wage jobs and operate under Labor Peace Agreements with labor unions; and

WHEREAS, Local innovators and entrepreneurs in the medical marihuana industry seek to drive local economic growth; and

WHEREAS, The City of Plattsburgh's commercial electricity rates provide a low cost opportunity for licensed Medical Marihuana cultivation in Controlled Environment Agriculture (CEA) nurseries; and

WHEREAS, the Common Council has a vested interest in ensuring that City of Plattsburgh residents have access to all viable medical options that could address symptoms associated with chronic, painful, or terminal diseases; and

Now Therefore, it is hereby RESOLVED: In accordance with the request therefore the Common Council supports New York Assembly Bill 6357 signed into law by Governor Andrew Cuomo on July 5, 2014; and it is further

RESOLVED: that the City of Plattsburgh welcomes and encourages appropriately licensed, registered and regulated medical marihuana businesses, including cultivation, processing facilities and dispensaries; and it is further

RESOLVED: that the City of Plattsburgh's current laws and codes do not prohibit medical marihuana businesses, including cultivation, processing facilities and dispensaries.

By Councilor Kasper; Seconded by Councilor Armstrong

Discussion: Yes

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

M. Motion to waive rule 4 for initial consideration "Request from the City Chamberlain to adjust the 2015 General Fund budget by \$3,145.00 equally for Recreation Contract Services appropriations and General Fund Special Items estimated revenue for feasibility study costs for the Saranac River that are reimbursable through a New York State grant" and "Resolution in support of NYS Homes and Renewals Affordable Home Renewal Program 2014-2015 Home Improvements Projects:

WHEREAS, The City of Plattsburgh is committed to securing funding to continue work on improving the housing stock in the City;

WHEREAS, The City of Plattsburgh is committed to identifying funding and programs to help City of Plattsburgh homeowners make critical home improvements;

WHEREAS, Funds are available to support this type of activity through New York State Homes and Renewal's Affordable Home Renewal Program 2014-2015 Home Improvement Projects;

WHEREAS, The City of Plattsburgh is aware of the waiving of up to \$2,500 permit fees and the administrative time committed by the Director of Community Development and agrees to provide the oversight to execute the grant according to the timeline outlined in the application;

THEREFORE BE IT RESOLVED, The Mayor is hereby authorized and directed to accept funds from, enter into, and execute a project agreement with the State for such financial assistance for the City of Plattsburgh”

By Councilor Kretser; Seconded by Councilor O’Connell

Discussion: None

Roll call: Councilors Armstrong, Dowdle, O’Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to adjust the 2015 General Fund budget by \$3,145.00 equally for Recreation Contract Services appropriations and General Fund Special Items estimated revenue for feasibility study costs for the Saranac River that are reimbursable through a New York State grant.

By Councilor Armstrong; Seconded by Councilor Kasper

Discussion: None

Roll call: Councilors Armstrong, Dowdle, O’Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Resolution in support of NYS Homes and Renewals Affordable Home Renewal Program 2014-2015 Home Improvements Projects:

WHEREAS, The City of Plattsburgh is committed to securing funding to continue work on improving the housing stock in the City;

WHEREAS, The City of Plattsburgh is committed to identifying funding and programs to help City of Plattsburgh homeowners make critical home improvements;

WHEREAS, Funds are available to support this type of activity through New York State Homes and Renewal’s Affordable Home Renewal Program 2014-2015 Home Improvement Projects;

WHEREAS, The City of Plattsburgh is aware of the waiving of up to \$2,500 permit fees and the administrative time committed by the Director of Community Development and agrees to provide the oversight to execute the grant according to the timeline outlined in the application;

THEREFORE BE IT RESOLVED, The Mayor is hereby authorized and directed to accept funds from, enter into, and execute a project agreement with the State for such financial assistance for the City of Plattsburgh.

By Councilor Kretser; Seconded by Councilor Kasper

Discussion: Yes

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves a Police Officer to attend "New York State Division of Criminal Justice Services Law Enforcement Peer Training" in Albany, NY from February 22 – 27, 2015 at a cost not to exceed \$927 and will be expensed from the Asset Forfeiture fund.

By Councilor Kasper; Seconded by Councilor Kretser

Discussion: None

Roll call: Councilors Armstrong, Dowdle, O'Connell, Kasper, Kretser

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request from the City Chamberlain to adjust the 2015 General Fund budget by \$3,145.00 equally for Recreation Contract Services appropriations and General Fund Special Items estimated revenue for feasibility study costs for the Saranac River that are reimbursable through a New York State grant. **(Move to agenda under "Other Items" Letter M)**

2. Resolution in support of NYS Homes and Renewals Affordable Home Renewal Program 2014-2015 Home Improvements Projects:

WHEREAS, The City of Plattsburgh is committed to securing funding to continue work on improving the housing stock in the City;

WHEREAS, The City of Plattsburgh is committed to identifying funding and programs to help City of Plattsburgh homeowners make critical home improvements;

WHEREAS, Funds are available to support this type of activity through New York State Homes and Renewal's Affordable Home Renewal Program 2014-2015 Home Improvement Projects;

WHEREAS, The City of Plattsburgh is aware of the waiving of up to \$2,500 permit fees and the administrative time committed by the Director of Community Development and agrees to provide the oversight to execute the grant according to the timeline outlined in the application;

THEREFORE BE IT RESOLVED, The Mayor is hereby authorized and directed to accept funds from, enter into, and execute a project agreement with the State for such financial assistance for the City of Plattsburgh. **(Move to agenda under “Other Items” Letter M)**

10. NEW BUSINESS:

Councilor O’Connell spoke about the Winter Carnival in Saranac Lake and the possibility of challenging Mayor Rabideau to a snow ball fight.

11. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Kasper; Seconded by Councilor Armstrong
Roll call Councilors Armstrong, Dowdle, O’Connell, Kasper, Kretser
(All voted in the affirmative)

MEETING ADJOURNED: 6:07pm